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10/631,115

07/31/2003

Paul Michel

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EXAMINER

KASSA, HILINA S

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

11/21/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/631,115

Applicant(s)

MICHEL ET AL.

Examiner

Hilina S. Kassa

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 and 28-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 and 28-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/18/2007.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

1. The amendment submitted on 09/13/2007 and IDS submitted on 10/18/2007 has been acknowledged. The Examiner also acknowledges the cancellation of claim 27.

### *Response to Arguments*

2. Applicant's arguments filed on 09/13/2007 have been fully considered but they are not persuasive.

Applicant argues that Jackelen does not describe or suggest **methods that include reporting identified print setting or print factors, or reporting the results of any matched object using a corresponding unique marker.**

With respect to Applicant's argument, Examiner disagrees the reason would be in **paragraph [0020] Jackelen describes if a mismatch is detected, Step 132 places the job on hold and rendering is halted without rendering the remaining pages of the print job then a message is displayed on the printer user interface informing the operator of the existence and nature of the mismatch state.** The stated description explains the method of reporting identified print setting or print setting or print factors or reporting the results of any match objects using a corresponding unique marker.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 6-8, 10-12, 28 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Jackelen et al. (US Publication Number 2003/0053810, see IDS).

**(1) regarding claim 1:**

Jackelen et al. disclose a method for analyzing a print job (paragraph 18, lines 3-5), the method comprising:

receiving page description language ("PDL") commands that describe the print job (paragraph 15, lines 5-9);

interpreting the PDL commands (paragraph 19, lines 1-3);

identifying a print setting from the interpreted commands that affects the entire print job (paragraph 19, lines 3-6); and

reporting the identified print setting (paragraph 19, lines 6-9).

**(2) regarding claims 2 and 7:**

Jackelen et al. further disclose, the method of claim 1, wherein the PDL commands comprise PostScript commands (paragraph 15, line 8).

**(3) regarding claims 3 and 8:**

Jackelen et al. further disclose, the method of claim 1, wherein the PDL commands comprise PCL commands (paragraph 15, line 8).

**(4) regarding claim 6:**

Jackelen et al. further disclose, a method for analyzing a print job for printing by a printer (paragraph 18, lines 3-5), the method comprising:

receiving page description language ("PDL") commands that describe the print job (paragraph 18, lines 4-5);

interpreting the PDL commands (paragraph 19, lines 1-3);

identifying a printer factor associated with the printer (paragraph 19, lines 3-6);

and

reporting the identified print factor (paragraph 19, lines 6-9).

**(5) regarding claim 10:**

Jackelen et al. further disclose, a method for analyzing a print job comprising an object having an associated print attribute (paragraph 18, lines 3-5), the method comprising:

determining a print attribute of interest (paragraph 18, lines 4-5);

associating a corresponding unique marker to the determined attribute (paragraph 18, lines 5-9);

receiving page description language ("PDL") commands that describe the print job (paragraph 15, lines 6-7);

interpreting the PDL commands to process the object (paragraph 19, lines 1-3; note that it is already described that the print job is referring to a collection of PDL format);

determining if the attribute associated with the processed object matches the determined attribute (paragraph 19, lines 3-6); and

reporting the results of any matched object using the corresponding unique marker (paragraph 19, lines 6-9).

**(6) regarding claim 11:**

Jackelen et al. further disclose, the method of claim 10, wherein the PDL commands comprise PostScript commands (paragraph 15, lines 7-8).

**(7) regarding claim 12:**

Jackelen et al. further disclose, the method of claim 10, wherein the PDL commands comprise PCL commands (paragraph 15, line 8).

**(8) regarding claim 28:**

Jackelen et al. further disclose, the method of claim 10, wherein the determined print attribute of interest comprises an orientation (paragraph 18, lines 12-17; note that when there is a job mismatch the print job will get initiated).

**(9) regarding claim 29:**

Jackelen et al. further disclose, the method of claim 10, wherein the unique marker comprises text (paragraph 18, lines 15-17; note that step 108 displays message).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-5, 9, 13-15 and 18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackelen et al. (US Publication Number 2003/0053810 A1) as applied to claims 1 and 10 above, and further in view of Behlok (US Patent Number 6,469,805 B1).

**(1) regarding claim 4:**

Jackelen et al. disclose all of the subject matter as described as above except for teaching wherein the PDL commands comprise halftone screen.

However, Behlok discloses wherein the PDL commands comprise halftone screen (column 4, lines 1-4).

Jackelen et al. and Behlok are combinable because they are from the same filed of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the two references because they teach the process of the PDL image conversion to raster image by undergoing the process of half-tone. The suggestion/motivation for doing so would have been that it is reliable. Therefore, it would have been obvious to combine Jackelen et al. with Behlok to obtain the invention as specified in claim 4.

**(2) regarding claim 5:**

Jackelen et al. disclose all of the subject matter as described as above except for teaching wherein the identified print setting comprises a specified output profile.

However, Behlok discloses wherein the identified print setting comprises a specified output profile (column 4, lines 1-4; note that the output profile is considered as the raster image is printed).

Jackelen et al. and Behlok are combinable because they are from the same filed of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the two references because they teach the process of the PDL image conversion to raster image then outputted by the printer. The suggestion/motivation for doing so would have been that it is reliable. Therefore, it



would have been obvious to combine Jackelen et al. with Behlok to obtain the invention as specified in claim 5.

**(3) regarding claim 9:**

Jackelen et al. disclose all of the subject matter as described as above except for teaching wherein the printer factor comprises calibration information about the printer.

However, Behlok discloses wherein the printer factor comprises calibration information about the printer (column 1, lines 65-67; column 2, lines 1-2).

Jackelen et al. and Behlok are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the two references. The suggestion/motivation for doing so would have been that it is efficiency. Therefore, it would have been obvious to combine Jackelen et al. with Behlok to obtain the invention as specified in claim 9

**(4) regarding claims 13, 14 and 15:**

Jackelen et al. disclose all of the subject matter as described as above except for teaching wherein the object comprises text, an image and graphic.

However, Behlok teaches wherein the object comprises text, an image and graphic (column 5, lines 11-13; note that the PDL files includes images, text data and graphic data).

Jackelen et al. and Behlock are combinable because they are from the same class and field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the two references because PDL files includes different forms of data. The suggestion/motivation for doing so would have been that is versatile and flexible. Therefore, it would have been obvious to combine Jackelen et al. with Behlok to obtain the invention as specified in claims 13, 14 and 15.

**(9) regarding claims 18, 19 and 20:**

Jackelen et al. disclose all of the subject matter as described as above except for wherein the determined print attribute of interest comprises a color space, a red, green, blue color space and a cyan, magenta, yellow color space.

However, Behlok discloses wherein the determined print attribute of interest comprises a color space, a red, green, blue color space and a cyan, magenta, yellow color space (column 1, lines 30-36).

Jackelen et al. and Behlok are combinable because they are from the same class and filed of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art at to combine the two references because in digital color imaging, RGB and CMYK have the array of pixel information for each of the imaging colors. The suggestion/motivation for doing so would have been that is versatile

and flexible. Therefore, it would have been obvious to combine Jackelen et al. and Behlok to obtain the invention as specified in claims 18, 19 and 20.

**(12) regarding claim 21 and 22:**

Jackelen et al. disclose all of the subject matter as described as above except for wherein the color space comprises a device-dependent color space and device-independent color space.

However, Behlok discloses wherein the color space comprises a device-dependent color space and device-independent color space (column 1, lines 44-48; column 1, lines 50-55; note that typically the half toner renders a raster image for the print colors, however a multidimensional look-up table is commonly used before the printer received the color values).

Jackelen et al. and Behlok are combinable because they are from the same class and filed of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art at to combine the two references. The suggestion/motivation for doing so would have been that is efficient. Therefore, it would have been obvious to combine Jackelen et al. and Behlok to obtain the invention as specified in claims 21 and 22.

**(14) regarding claims 23, 24 and 25:**

Jackelen et al. disclose all of the subject matter as described as above except for teaching wherein the determined print attribute of interest comprises a color value, a red, green, blue color value, a cyan, magenta, yellow color value.

However, Behlok discloses a method wherein the determined print attribute of interest comprises a color value, a red, green, blue color value and a cyan, magenta, yellow color value (column 1, lines 30-36).

Jackelen et al. and Behlok are combinable because they are from the same class and filed of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art at to combine the two references because in digital color imaging, RGB and CMYK have the array of pixel information for each of the imaging colors. The suggestion/motivation for doing so would have been that is versatile and efficient. Therefore, it would have been obvious to combine Jackelen et al. and Behlok to obtain the invention as specified in claims 23, 24 and 25.

**(17) regarding claim 26:**

Jackelen et al. disclose all of the subject matter as described as above except for teaching wherein the color value comprises a spot color value.

However, Behlok discloses a method wherein the color value comprises a spot color value (column 7, lines 40-44; note that pantone spot color is considered as the ink dot of a particular process color on a sheet of paper).

Jackelen et al. and Behlok are combinable because they are from the same class and filed of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art at to combine the two references because when analyzing an ink dot of a particular process color on a sheet of paper is a derivation of a spot color value. The suggestion/motivation for doing so would have been that is reliable and efficient. Therefore, it would have been obvious to combine Jackelen et al. and Behlok to obtain the invention as specified in claim 26.

7. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackelen et al. (US Publication Number 2003/0053810 A1) as applied to claim 10 above, and further in view of Tai (US Patent Number 5,606,649).

**(1) regarding claims 16 and 17:**

Jackelen et al. disclose all of the subject matter as described as above except for teaching wherein the determined print attribute of interest comprises a font name and font size.

However, Tai disclose wherein the determined print attribute of interest comprises a font name and font size (column 5, lines 6-14).

Jackelen et al. and Tai are combinable because they are from they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the two references. The suggestion/motivation for doing so would have been that it is efficient enough in order to permit accurate reconstruction of the original document even though the text characters would have different sizes and fonts (column 5, lines 15-17). Therefore, it would have been obvious to combine Jackelen et al. with Tai to obtain the invention as specified in clams 16 and 17.

8. Claims 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackelen et al. (US Publication Number 2003/0053810 A1) in view of Hirumi (US Patent Number 6,059,469).

**(1) regarding claims 30, 31 and 32:**

Jackelen et al. discloses all of the subject matter as described as above except for teaching wherein the unique marker comprises sound, changing the color of the matched object, and displaying the matched object on a display device in the changed color.

However, Hirumi teaches wherein the unique marker comprises sound (column 13, lines 32-38), changing the color of the matched object (column 1, lines 50-55), displaying the matched object on a display device in the changed color (column 13, lines 35-36).

Jackelen et al. and Hirumi combinable because they are from the same filed of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine both references. The suggestion/motivation for doing so would have been that it is reliable to have a sound and color method when there is mismatch object in printing. Therefore, it would have been obvious to combine Jackelen et al. with Hirumi to obtain the invention as specified in claims 30-33.

**(2) regarding claim 33:**

Jackelen et al. further disclose, the method of claim 31, wherein reporting comprises printing the matched object in the changed color (paragraph 19, lines 4-9).

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb could be reached at (571) 272- 7406.

**Any response to this action should be mailed to:**

Commissioner of Patent and Trademarks

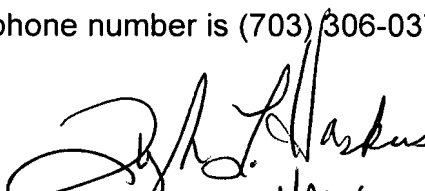
Washington, D.C. 20231

**Or faxed to:**

**(703) 273-8300 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

  
TWYLER LAMB  
SUPERVISORY PATENT EXAMINER

Hilina Kassa  
November 16, 2007

